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*Attorneys for Defendant
Wal-Mart Stores, Inc.*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

TIMOTHY BOYTOR,

Plaintiff,

v.

WAL-MART STORES, INC., and DOES 1
through 100; and ROE CORPORATIONS 101
through 200,

Defendants.

Case No.: 2:16-cv-02023-JAD-GWF

**STIPULATION AND [PROPOSED]
ORDER TO EXTEND INITIAL EXPERT
DEADLINES**

[SECOND REQUEST]

Plaintiff TIMOTHY BOYTOR (hereinafter "Plaintiff") and Defendant WAL-MART STORES, INC. (hereinafter "Defendant"), by and through their respective counsel of record LLC and hereby stipulate to modify the scheduling order to extend the initial expert discovery deadlines by five (5) days.

Pursuant to Local Rule 6-1(b), the parties hereby aver that this is the second such discovery extension requested in this matter.

DISCOVERY COMPLETED TO DATE

- The parties have conducted an FRCP 26(f) conference and have served their respective FRCP 26(a) disclosures;
- The parties have completed written discovery;
- Walmart has deposed Plaintiff;
- Depositions of fact witnesses/store employee
- FRCP 35 Independent Medical Examination of Plaintiff.

DISCOVERY TO BE COMPLETED AND REASONS FOR DISCOVERY

Discovery to be completed includes:

- Depositions of expert witnesses and treating medical providers;
- Initial Expert Disclosures
- Rebuttal expert disclosures.

The parties aver, pursuant to Local Rule 2.25, that good cause exists for the requested extension. The parties agree that, pending this Court's approval, extension of initial expert disclosure deadlines is appropriate, as the parties wish to further investigate this case, conduct necessary discovery prior to pertinent deadlines, and potentially reach a resolution prior to incurring fees and costs for extensive discovery and experts. Despite the good faith efforts of the parties to comply with the Court's discovery deadlines, Defendant's expert's availability for a preparation of expert reports necessitates this extension. All amendments are noted in "**BOLD.**"

[PROPOSED] NEW DISCOVERY DEADLINES

Initial Expert Disclosure Deadline

Currently: February 6, 2017

Proposed: February 10, 2017

If the extension is granted, all anticipated additional discovery is expected to be included within the stipulated extended deadline. The parties aver that this request for extension is made by the parties in good faith and not for the purpose of delay.

Continued from last page.

DATED this 7th day of February, 2017.

BERSTEIN & POISSON

PHILLIPS, SPALLAS & ANGSTADT LLC

/s/ Jamie Corcoran

/s/ Betsy Jefferis

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*Attorneys for Plaintiff
Timothy Boytor*

*Attorneys for Defendant
Wal-Mart Stores, Inc.*

ORDER

IT IS SO ORDERED.

DATED this 8th day of February, 2017.


UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

Pursuant to FRCP Rule 5, I hereby certify that I am an employee of the law firm PHILLIPS, SPALLAS & ANGSTADT, LLC, and that on this 7th day of February, 2017, I electronically served a copy of **STIPULATION AND [PROPOSED] ORDER TO EXTEND EXPERT DISCOVERY DEADLINES [SECOND REQUEST]** as follows:

☒ By facsimile addressed to the following counsel of record, at the address listed below;

☐ By placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;

☐ By Hand Delivery (ROC); and/or

☒ By Electronic Service through CM/ECF to:

ATTORNEY OF RECORD	TELEPHONE/FAX	PARTY
SCOTT L. POISSON, ESQ. Nevada Bar No. 10188 JAMIE H. CORCORAN, ESQ Nevada Bar No. 11790 BERNSTEIN & POISSON 320 S. Jones Blvd. Las Vegas, NV 89107	Phone 702-256-4566 Fax 702-256-6280	Plaintiff


An Employee of PHILLIPS, SPALLAS & ANGSTADT LLC

 *** FAX TX REPORT ***

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